

REMARKS

The last Office Action has been carefully considered.

Claims 1-2, 4-5, 10, and 14-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Majic (U.S. Pat. No. 4,787,136).

Claims 3, 9, and 11-13 are rejected under 35 U.S.C. § 103(a) as being unpetentable over Majic in view of Totsu (U.S. Pat. App. Pub. No. 2004/0050566).

Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpetentable over Majic in view of Setton et al. (U.S. Pat. App. Pub. No. 2003/0173096).

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpetentable over Majic in view of Bitzer (U.S. Pat. No. 4,571,696).

Claims 1-15 are pending in the present application, with Claims 1 and 15 being independent claims.

Claims 1 and 15 are amended. No new subject matter is presented.

Regarding the rejection of Claim 1 under 35 U.S.C. § 102(b), the Examiner states that Majic anticipates each and every limitation of Claim 1. Majic discloses a method for producing a screw connection by a cutout screwdriver 10 that terminates a screw driving operation when a predetermined torque is achieved (Abstract; FIGs. 1-2), wherein data relating to the operation are detected and evaluated by an evaluation circuit 15 being connected to the cutout screwdriver 10 (FIG. 1), and then transmitted to an external monitoring unit 40 (FIG. 2). Majic discloses nowhere a structure of the coutout screwdriver 10 taught by the present application wherein the cutout screwdriver 10 is

deactivated when a number of idle screwdriver actuations exceeds a predetermined limit value per screw driving cycle (specification, page 8, lines 9-11; Fig. 1).

Clearly, Amended Claim 1 structurally differs from Majic.

Regarding the rejection of Claim 15 under 35 U.S.C. § 102(b), the above rationale for Amended Claim 1 also similarly applies to Amended Claim 15 with respect to Majic.

In view of the preceding amendments and remarks, it is respectfully submitted that all of the pending claims, namely, Claims 1-15, are in condition for allowance.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



Michael J. Striker  
Attorney for Applicant  
Reg. No. 27233